

Remarks

Upon entry of the foregoing amendment, claims 1, 2, 4, 7 and 10-13 are pending in the application, with claims 1 and 10 being the independent claims. Claims 10-13 are newly added and claims 8 and 9 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claim 1 has been amended to more clearly point out and distinctly claim the subject matter of the present invention. Descriptive support for the amendment is found in the specification as filed.

The Applicants would like to thank the Examiner for the telephonic interview on November 21, 2006. The claims have been amended to incorporate the changes discussed during the interview. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and they be withdrawn.

I. *Claims 1, 2, 4, 7 and 10-13 are Allowable over U.S. Patent No. 5,197,819 ("Hughes")*

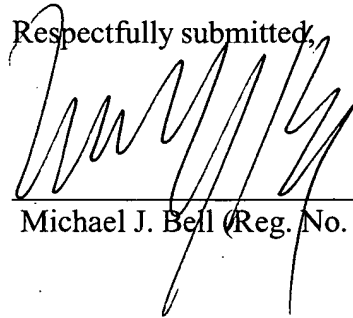
Upon entry of the foregoing amendment, claim 1 recites "a sports pole having a first end and a second end [and] a basketball goal attached to the first end of said sports pole." Claim 10 recites "a sports pole having a first end and a second end [and] a volleyball net attached to the first end of said sports pole." Hughes fails to disclose or even suggest a mounting base for use with either a basketball goal or a volleyball net.

Furthermore, a designer of a mounting structure for mounting a sports pole attached to a basketball goal or a volleyball net would not look to the art of highway markers in designing such a mounting structure. The weight and bulk of a basketball goal or a volleyball net requires a sports pole and a mounting structure for the sports pole to be strong and sturdy enough to support the goal or net. The base 11 disclosed by Hughes does not meet these requirements because it is only configured to support "a flexible marker shaft to the roadway." (Hughes, col.1, line 50.) A flexible shaft such as shaft 29 disclosed by Hughes is not sufficient to support a basketball goal or volleyball net.

Conclusion

Prompt and favorable consideration of this Preliminary Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Bell", is written over a horizontal line.

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